REMARKS

After entering the above amendments, claims 1-19 and 22 will be pending. Reconsideration and allowance of the current application are requested in light of the foregoing remarks.

Summary of Rejections. The Office has rejected claim 22 under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent Publication No. 2003/0167315 to Chowdhry et al. ((hereinafter "Chowdhry"); claims 1, 4-11, 14-16 and 20-21 under 35 U.S.C. §103(a) as allegedly being unpatentably obvious over Chowdhry in view of U.S. Patent Publication No. 2001/0047394 to Kloba et al. (hereinafter "Kloba"); and claims 2-3, 12-13 and 17-19 under 35 U.S.C. §103(a) as allegedly being unpatentably obvious over Chowdhry and Kloba, and further in view of U.S. Patent Publication No. 2003/0066031 to Laane (hereinafter "Laane").

Rejections under 35 USC §102

Claim 22 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Chowdhry. This rejection is respectfully traversed.

To present a valid anticipation rejection under 35 U.S.C. §102, the Office must identify a single prior art reference in which "each and every element as set forth in the claim is found, either expressly or inherently described." MPEP §2131 quoting *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The rejection over Chowdhry to satisfy this burden with regards to the currently pending claims.

The Office states, on page 19 of the final Office Action, "the code used in Chowdhry to represent a portlet is a model representing the application component" and "(t)herefore, the

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portlet is modeled in HTML and render by the client in the browser."

These statements are an inaccurate definition of a model and a mischaracterization of Chowdhry.

In Chowdhry, the code used to represent the portlet (i.e. HTML) is the portlet. Changes made to the HTML code change the portlet directly. Conversely, in the present claim 22, the "model of an application component" is modified in response to the modification-request <u>without modifying the application component</u>. This feature enables the server-controller "to generate a modified model." Again, Applicant respectfully stresses that the modified model is separate and distinct from the application component. Nowhere does Chowdhry teach or suggest that modifications to the HTML code representing a portlet yield a modified model that is separate and distinct from the application component.

Therefore, the HTML code is not a model of the porlet, but is actually the portlet itself. Therefore, Chowdhry fails to teach or suggest a number of features of present claim 22, and Applicant respectfully requests a withdrawal of the rejection.

For at least these reasons, withdrawal of the pending rejection under 35 U.S.C. §102 is respectfully requested.

Rejections under 35 USC §103

Claims 1, 4-11, 14-16 and 20-21 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentably obvious over Chowdhry in view of Kloba. Claims 2-3, 12-13 and 17-19 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentably obvious over Chowdry and Kloba in view of Laane. These rejections are respectfully traversed.

For a proper rejection under 35 U.S.C. §103(a), the Office "bears the initial burden of factually supporting any *prima facie* conclusion of obviousness" and must therefore present "a

clear articulation of the reason(s) why the claimed invention would have been obvious." MPEP §2142. An obviousness rejection "cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." MPEP §2141 quoting *KSR International Co. v. Teleflex Inc.*, 82 USPQ2d 1386, 1385 (2007). This rationale must include a showing that all of the claimed elements were known in the prior art and that one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, to produce a combination yielding nothing more than predictable results to one of ordinary skill in the art. *KSR*, 82 USPQ2d at 1395. MPEP §2141.02 further notes that "a prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention. *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984). The rejections over the cited references fail to satisfy this burden with regards to the currently pending claims.

Regarding independent claims 1, 10, 11, 15 and 16, Applicant has clearly demonstrated that Chowdhry fails to teach or suggest "at least one browser-increment that corresponds to a difference between the original model and the modified model." Further, as shown above, Chowdhry fails to teach or suggest the use of models as representatives of application components. In Chowdhry, the portlets are the application components, and the portlets are written in executable HTML code. Thus, the HTML code is the portlet (and not a model). Changes to the HTML code are changes made directly to the portlet, as described by Chowdhry.

Applicant respectfully asserts that since the primary reference Chowdhry fails to teach or suggest various recited features of claims 1, 10, 11, 15 and 16, the rejection must be withdrawn. Claims 2-0, 12-14 and 17-19 are allowable at least for their dependence on an allowable base
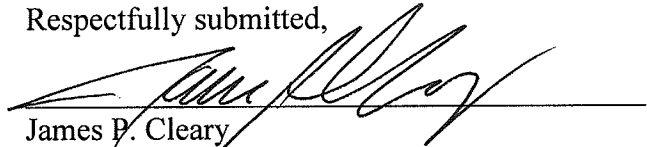
claim.

For at least these reasons, withdrawal of the pending rejection under 35 U.S.C. §103(a) is respectfully requested.

CONCLUSION

On the basis of the foregoing amendments, the pending claims are in condition for allowance. It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper.

The Commissioner is hereby authorized to charge the additional claim fee and any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 34874-135/202P00117WOU. If there are any questions regarding this reply, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,

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